

REMARKS

This application has been reviewed in light of the Office Action mailed on June 25, 2004. Claims 1-16 pending in the application with Claims 1, 11, 12, 13, 15 and 16 being in independent form. Claims 1-16 are rejected. By means of the present amendment, Claims 1, 11, 12, 13, 15 and 16 have been amended. No new matter or issues are believed to be introduced by the amendments.

(1) In the Office Action, Claims 1-16 were rejected under 35 U.S.C. §102(a) as being disclosed by U.S. Patent No. 2002/0064764 to Fishman (hereinafter "Fishman").

Applicant appreciates the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted with the primary examiner, Mr. G. Cunningham and in a subsequent phone conversation with the Examiner's Supervisor, Mr. M. Bella on August 24, 2004. During the telephonic interview with Examiner Cunningham, reasons were presented as to why Claim 1 is believed not to be anticipated by Fishman. After listening to the reasons, Examiner Cunningham informed Applicant's attorney that he wished to discuss the situation further with his Supervisor. Later that same day, Applicants' attorney called Supervisor Bella to discuss the substantive issues.

In a subsequent discussion between Applicants' attorney and Supervisor Bella, the rejection of Claim 1 was discussed in light of Fishman. In particular, Applicant's attorney re-iterated once more why it is believed that Claim 1 is not anticipated by Fishman.

In the interview, Applicant's attorney explained to Supervisor Bella that the invention is directed to a system and method for enhancing non-synthetic information being displayed in a portion of a display screen of a display apparatus. It was explained that the enhancement is not of the entire display screen but only of a portion of the display screen in which non-synthetic information is being displayed.

Claim 1 recites a detection means which detects whether at least one of two criteria is satisfied for non-synthetic display information being displayed in a portion of the display screen, the criteria being:

- (i) an application is one of a group of applications indicating that non-synthetic information is displayed, in which the application is not a picture viewer,
- (ii) an extension of a file is one of a group of extensions indicating that non-synthetic information is displayed,

The Supervisor Bella then requested clarification of the terms synthetic and non-synthetic. Applicants' attorney pointed out that the Specification clearly defines each of these terms at page 2, lines 17-19:

***Synthetic information** is computer-synthesized information such as, for example, text, graphics, and tables, and **non-synthetic information** is not computer-synthesized information, for example, photographs and video/film.*

The Specification further provides specific examples of non-synthetic information in accordance with the first criteria, criteria (i) at page 2, lines 29-33

Examples of applications which fall within the group of applications indicating that non-synthetic information is displayed, and which are not picture viewers, are movie players or other applications for showing video, for example from a TV tuner card or from a video recorder, camcorder, or digital (video) camera connected to the PC.

The Specification also provides examples of non-synthetic information in accordance with the second criteria, criteria (ii), at page 3, lines 1-4

With respect to (ii), it may be detected whether an extension of a file which contains the information to be displayed in the area is one of a group of extensions indicating that non-synthetic information is displayed. Examples of such extensions are: jpg, tiff, mpg, mov and so on.

As was explained to Supervisor Bella, the invention detects the display of non-synthetic information being is displayed in a portion of a display screen.

In contrast, Fishman is silent with respect to the detection of non-synthetic information in a portion of the display screen. As such, there can be no teaching or disclosure in Fishman of enhancing a portion of the display screen in response to detecting non-synthetic information, as recited in Claim 1.

It is instructive to review Fishman which is broadly directed to a motion sequence analysis system for capturing a set of real-time images of a motion sequence and correlating such images with a set of archived images. See Fishman at par. 008. For example, Golf swings of the same player may be compared at different times during course of a player's career. See Fishman at par. 009.

Fishman is describing a display screen of entirely non-synthetic information comprised of non-synthetic information acquired as a first set of video data on a player's performance shown simultaneously with non-synthetic information acquired as a second

set of video data on a player's performance. In other words, Fishman is describing the display of two clips (i.e., movie sequences) being displayed side by side for instructional purposes. There is no disclosure of the display showing a combination of synthetic and non-synthetic information. As stated above, a feature of the invention, as recited in Claim 1, is the detection of non-synthetic information in a portion of the display screen, and enhancing the portion of the screen displaying the non-synthetic information. A good portion of the disclosure of Fishman is directed to acquisition techniques for obtaining the first and second sets of test data for later side by side comparison. It is respectfully submitted that Examiner Cunningham mistakenly mistook these passages directed to acquisition techniques as disclosing the elements of Claim 1.

While Applicants traverse the rejection, independent Claims 1, 11, 12, 13, 15 and 16 have been amended herein to better define Applicant's invention and to patentably distinguish Applicant's invention over the cited reference article. Claims 1, 11, 12, 13, 15 and 16 now recites limitations and/or features which are not disclosed or suggested by Fishman.

Applicant respectfully submits that Claims 1, 11, 12, 13, 15 and 16 as amended hereinabove, is not anticipated by Fishman for at least the reasons provided above.

Accordingly, applicant respectfully requests that the rejection under 35 U.S.C. §102(a) with respect to Claims 1, 11, 12, 13, 15 and 16 and allowance thereof is respectfully requested.

Additionally, Claims 2-10 and 14 depend from independent Claims 1 and 13, respectively and therefore contain the limitations of Claims 1 and 13. Hence, for at least the same reasons given for Claims 1 and 13, Claims 2-10 and 14 are believed to be

allowable over Fishman. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(a) with respect to Claims 2-10 and 14 and allowance thereof is respectfully requested.

(2) In the Office Action, Claims 13 and 14 were rejected under 35 U.S.C. §103(a) as being disclosed by U.S. Patent No. 2002/0064764 to Fishman as applied to claims 1-12 above, in view of U.S. Patent No. 3,810,174 to Heard, and further in view of Official Notice.

Independent Claim 13 has been amended herein to better define Applicant's invention over Heard in view of the Official Notice. Claim 13 recites limitations and/or features which are not disclosed by Heard.

Claim 13 as amended herein recites in part:

13. A display apparatus for displaying display information on a display screen, the display apparatus comprising detection means for deciding whether only a part of the display information corresponding to an area on the display screen has to be enhanced based on a difference value computed between data words corresponding to the area of the display screen to be enhanced at a first instant in time and at a second instant in time, the detection means comprising:[Emphasis Added]

It is respectfully submitted that at least the limitations and/or features of Claim 13 which are underlined and highlighted above is not anticipated by the disclosure of Heard in view of the Official Notice.

As discussed in the telephonic interview, the invention provides a system and method for enhancing a part of the display information of a display apparatus (i.e., a subset or portion of the total display area). The determination for deciding whether a

portion of the display information should be enhanced is based on a difference value of data words which comprise the part of the display screen at a first instant in time and at a second instant in time. In this way, it can be determined whether non-synthetic information is being displayed in the portion of the total display area. The invention requires that at least one of two criteria must be satisfied to conclude that non-synthetic display information is being displayed in the portion of the display screen. To reiterate, the criteria being: (1) an application is one of a group of applications indicating that non-synthetic information is displayed, in which the application is not a picture viewer, (2) an extension of a file is one of a group of extensions indicating that non synthetic information is displayed.

The invention is not talking about *different outlines -0004, different golf professionals- 0005, different practice sessions -0006*, as cited in the Office Action. These situations, as discussed above, relate to side-by-side video graphics in two different parts of a display. The invention is directed to one portion of the display, and the detection of non-synthetic information in that portion of the display.

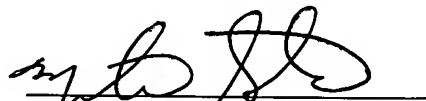
Accordingly, applicant respectfully requests that the rejection under 35 U.S.C. §103(a) with respect to Claim 13 and allowance thereof is respectfully requested.

Additionally, Claim 14 depends from independent Claim 13, respectively and therefore contain the limitations of Claim 13. Hence, for at least the same reasons given for Claim 13, Claim 14 is believed to be allowable over Heard in view of the Official Notice. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claim 14 and allowance thereof is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1 – 16 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Dicron Halajian, Esq., Intellectual Property Counsel, Philips Electronics North America Corp., at 914-333-9607.

Respectfully submitted,



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